

MAY 19 2005

**Fitch, Even, Tabin & Flannery**  
**Intellectual Property Law**

1101 K. Street, NW, Suite 401L

Washington, D.C. 20006

Phone: (202) 419-7000 Fax: (202) 419-7007

**TELECOPIER COVER SHEET**

Client/Matter Nos: 1410/77070

Date: May 19, 2005

The transmission that follows totals 3 pages, including this cover sheet. Please deliver immediately to the following:

Examiner : L. Tran  
Art Unit: 1761

Fax: (703) 872-9306

Re: U.S. Application No. 10/774,692  
HOWARD, ET AL.

This transmission is being sent by ramon r. hoch, please call (202-419-7000) if there is a problem with this transmission.

**COMMENTS:**

**CERTIFICATE OF FACSIMILE:** I hereby certify that these papers ( 1) RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION (two pages), are being transmitted via facsimile to: Commissioner for Patents, Washington, D.C. 20231, on this day of May 19, 2005.

Ramon R Hoch  
Ramon R. Hoch

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MAY 19 2005

## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	) Confirmation No.: 7393
	)
HOWARD, ET AL.	) Attny. Dkt.: 1410/77070
	)
Serial No.: 10/774,692	) Group Art Unit: 1761
	)
Filed: February 10, 2004	) Examiner: L. Tran
	)
For:	)
FREEZER-STABLE TOASTED	)
BREAD SLICES	)

Mail Stop Amendment  
U.S. Patent and Trademark Office  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION**

Sir:

Responsive to the restriction requirement set forth in the Office communication dated April 21, 2005, Applicants elect Group II, which currently encompasses process claims 11-33, with traverse.

Reconsideration of the restriction requirement is requested. Regarding the another and materially different process suggested in the Office communication for making the product as claimed via "compressing by hand," attention is directed to page 6, lines 15-16 of the instant specification.

U.S.S.N. 10/774,692  
Rest. Req't. dated April 21, 2005  
Election of May 19, 2005

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Atty. Dkt. No. 1410/77070

Therefore, Applicants request that the restriction requirement be withdrawn, and that the claims encompassed by Group I be rejoined and examined together with those of elected Group II.

In view of the above, issuance of an Office Action on the merits is respectfully requested.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

Date: May 19, 2005

By:

*Ramon R. Hoch*  
Ramon R. Hoch  
Reg. No. 34,108

120 South LaSalle Street  
Suite 1600  
Chicago, Illinois 60603-3406  
Telephone: (312) 577-7000  
Facsimile: (312) 577-7007